

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HOT SPRINGS DIVISION

MATTHEW WAYNE ROBINSON

PLAINTIFF

V.

CIVIL NO. 6:18-cv-06119

JAIL ADMINISTRATOR SARAH HANEY
and SHERIFF CHARLIE CALDWELL

DEFENDANTS

ORDER

The Court has received a report and recommendation (ECF No. 28) from United States Magistrate Judge Barry A. Bryant. Plaintiff proceeds in this 42 U.S.C. §1983 action *pro se* and *in forma pauperis*. Upon review, the Magistrate recommended that Plaintiff's case be dismissed without prejudice for failure to comply with the Court's Local Rules and Orders and failure to prosecute the case.

The Court has conducted a de novo review of those portions of the report and recommendation to which Plaintiff has objected. 28 U.S.C. 636(b)(1). Since the Report and Recommendation was filed on July 2, 2019, Plaintiff has filed two pleadings with the Court and each of them has been late: (1) Plaintiff's Objection to Defendants' discovery requests and request for extension of time to respond (ECF No. 29) was filed twenty-four (24) days late; and (2) Plaintiff's Objection to the Report and Recommendation (ECF No. 31) was filed 6 days after expiration of the deadline to file timely objections. In addition, the Court has reviewed the docket entries for this case and notes that since June 10, 2019 (the date on which Defendants filed the motion to compel), no mail sent to Plaintiff by the Clerk's office has been returned as undeliverable. Plaintiff's objections offer neither law nor fact requiring departure from the Magistrate's findings. The report and recommendation is proper, contains no clear error, and is

ADOPTED IN ITS ENTIRETY.

IT IS THEREFORE ORDERED Defendants' Motion to Dismiss (ECF No. 26) should be and hereby is GRANTED;

IT IS FURTHER ORDERED that Plaintiff's Motion for Extension of Time to Respond (ECF No. 29) and Motion to Appoint Counsel (ECF No. 32) should be and hereby are DENIED;

IT IS FURTHER ORDERED that the case should be and hereby is DISMISSED WITHOUT PREJUDICE; and

IT IS FURTHER ORDERED that Defendants' First Motion to Stay (ECF No. 33) is DENIED as moot.

SO ORDERED this 5th day of August 2019.

/s/Robert T. Dawson

ROBERT T. DAWSON
SENIOR U.S. DISTRICT JUDGE